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CPA \$

## STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.

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\*\*REGISTERED PATENT AGENTS

June 23, 2000

WRITER'S DIRECT NUMBER:  
(202) 789-5507

Commissioner for Patents  
Washington, D.C. 20231

Box: CPA

Re: U.S. Utility Patent Application  
Request for Continued Prosecution Application (CPA)  
Appl. No. 09/028,514; Filed: February 23, 1998  
For: **Serum-Free Mammalian Cell Culture Medium, and Uses Thereof**  
Inventors: Gorfien *et al.*  
Our Ref: 0942.4110002/RWE/GER

Sir:

Transmitted herewith for appropriate action are the following documents:

1. CPA Transmittal Form PTO/SB/29 (*in duplicate*);
2. Fee Transmittal Form PTO/SB/17 (*in duplicate*);
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
4. Our Check No. 27902 the amount of \$3,062.00 to cover:

\$ 870.00	Extension for response within third month (37 C.F.R. § 1.17(a)(3));
\$ 690.00	Basic filing fee (37 C.F.R. § 1.16(a));
\$1,008.00	Claims in excess of twenty (37 C.F.R. § 1.16(c));
\$ 234.00	Independent claims in excess of three (37 C.F.R. § 1.16(b));
\$ 260.00	Multiple Dependent Claim (37 C.F.R. § 1.16(d)); and

5. One (1) return postcard.

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TECH CENTER 1600/2999

Commissioner for Patents  
June 23, 2000  
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Grant E. Reed  
Attorney for Applicants  
Registration No. 41,264

Enclosures

P:\USERS\GEREED\942\4110002\411-2.CPA.TRANS.WPD  
skgf. rev. 4/27/00 mac

CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR § 1.53(d))

Q#102  
Ref CPA filing  
13/02  
CHECK BOX if applicable:  
 DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231JUN 23 2000  
PENDING  
TRADEMARK OFFICE  
U.S. PATENT & TRADEMARK OFFICE

Attorney Docket No. of Prior Application	0942.4110002/RWE/GER
First Named Inventor	Stephen F. Gorfien
Examiner Name	D. Ware
Group/Art Unit	1651
Express Mail Label No.	

This is a request for a  continuation or  divisional application under 37 CFR § 1.53(d),  
(continued prosecution application (CPA)) of the prior application number 09 / 028,514,  
filed on February 23, 1998 entitled: Serum-Free Mammalian Cell Culture Medium, and Uses Thereof.

NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR § 1.51(b) or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the application under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

- Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR § 1.116 in the prior nonprovisional application.
- A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
  - DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....  
.....
  - The inventor(s) to be deleted are set forth in a separate sheet attached hereto.
- A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - PTO-1449
  - Copies of IDS citations

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[Page 1 of 2]

01 FC:131	690.00 OP
02 FC:102	234.00 OP
03 FC:103	1008.00 OP
04 FC:104	260.00 OP

Burden Hour Statement: this form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR § 1.16(c) or (j))	76 -20* =	56	x \$ 18.00 =	\$1,008.00
	INDEPENDENT CLAIMS (37 CFR § 1.16(b) or (i))	6 -3** =	3	x \$ 78.00 =	234.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR § 1.16(d))			x \$ 260.00 =	260.00
				BASIC FEE (37 CFR §1.16)	\$ 690.00
			Total of above Calculations =		2,192.00
	Reduction by 50% for filing by small entity (Note 37 CFR §§ 1.9, 1.27, 1.28).				
	* Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent.		TOTAL =		2,192.00

## 6. Small entity status:

- a.  A small entity statement is enclosed, if (b) and (c) do not apply.
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 19-0036:

- a.  Fees required under 37 CFR § 1.16.
- b.  Fees required under 37 CFR § 1.17.
- c.  Fees required under 37 CFR § 1.18.

8.  A check in the amount of \$3,062.00 is enclosed.9.  New Attorney Docket Number, if desired \_\_\_\_\_*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*10. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11.  Other: A Petition for the Extension of Time for the Parent Application

NOTE: *The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

## 12. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or  New correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

## 13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Grant E. Reed
Signature	
Registration No. (Attorney/Agent)	41,264
Date	6/13/2000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## FEE TRANSMITTAL

for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO-8509-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT

(\$ 3,062.00)

Complete if Known

Application Number	09/028,514
Filing Date	February 23, 1998
First Named Inventor	Stephen F. Gorrien
Examiner Name	D. Ware
Group / Art Unit	1651
Attorney Docket Number	0942.4110002/RWE/GER

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number  
19-0036

Deposit Account Name  
Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2.  Payment Enclosed:  Check  Money Order  Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	690.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	334	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)				690.00	

## 2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 76 - 20** =	56 X 18 =	1008.00
Indep. Claims 6 - 3** =	3 X 78 =	234.00
Multiple Dependent	260 =	260.00

\*\* or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
108	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				1502.00

## 3. ADDITIONAL FEES

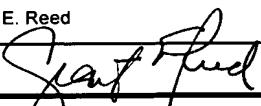
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	870.00
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) :

Other fee (specify) :

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 870.00)

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Grant E. Reed			Reg. Number	41,264
Signature		Date	6/23/2000	Deposit Acct. User ID	

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 5/11/00 mac

411-2.CPA.FEE.WPD